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TO:	United States Patent & Trademark Office
DATE & TIME:	May 11, 2006
TOTAL PAGES:	Seven (7)
FAX NUMBER:	571-273-8300

FROM: Morris, Manning & Martin, LLP	CHARGE TO: 15574-50836
NAME: Tim Tingkang Xia, Esq.	CLIENT/MATTER:
PHONE: (404) 233-7000	CONFIRMATION TIME:
	HR MIN SEC

COMMENTS:

Re: Serial No. 10/541,567

Filing Date: July 6, 2005

Attachments: Transmittal  
Request for Refund

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S/N 10/541,567

MAY 11 2006

PATENT  
Confirmation No. 1990

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thomas Boehmke	Examiner:	Unassigned
Serial No.:	10/541,567	Group Art Unit:	3679
Filed:	July 6, 2005	Docket No.:	15574-50836
Title:	FENCE PANEL		

CERTIFICATE UNDER 37 CFR 1.8(a):

I hereby certify that this correspondence is being transmitted by facsimile to number 571-273-8300, Mail Stop: 16, Director of the U.S. Patent and Trademark Office on May 11, 2006.

By:   
Name: Tim Tingkang Xia

TRANSMITTAL

Mail Stop 16  
Director of the U.S. Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 11, 2006

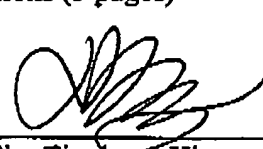
CUSTOMER NO. 24728

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Facsimile (1 page)
- ☒ Request for Refund (2 pages)
- ☒ Copy of Originally Filed Transmittal Letter w/Fee Calculations (3 pages)

MORRIS, MANNING & MARTIN, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road NE  
Atlanta, Georgia 30326  
404.495.3678  
Customer No. 24728

By:   
Name: Tim Tingkang Xia  
Reg. No.: 45,242  
TX

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S/N 10/541,567

**MAY 11 2006****PATENT**  
Confirmation No. 1990**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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By: \_\_\_\_\_  
Name: Tim Tingchang Xia**REQUEST FOR REFUND**Mail Stop 16  
Director of the U.S. Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 11, 2006

**CUSTOMER NO. 24728**

Dear Sir:

On July 6, 2005, we filed the U.S. National Phase Application referenced above. Included in the application package was a credit card authorization in the amount of \$1,355.00 (as shown on the enclosed copy of the originally-filed transmittal letter). The fee calculated at the time of filing is believed to be correct.

On March 1, 2006, our Deposit Account was debited in the amounts of \$50.00 with the fee code of 2615 (fees in excess of 20). However, in calculating the claims as-filed, there were 37 total claims. The fee for 17 excess claims over 20 is equal to \$850.00, which was included in the amount we paid.

S/N 10/541,567

PATENT  
Confirmation No. 1990

Please note that we paid the \$1,355.00 filing, search, exam and excess claims fees with a Credit Card Authorization form 2038 at the time of filing the application on July 6, 2005, so no additional fees are due.

Thus, in light of the fact that all fees due were paid at the time of filing, please refund our Deposit Account No. 50-3537 in the amounts of \$50.00.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP

May 11, 2006



Tim Tingkang Xia, Esq.

Reg. No. 45,242

Attorney for Assignee on the Record

TTX

MORRIS, MANNING & MARTIN, LLP  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
less it displays a valid OMB control number.**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**ATTORNEY'S DOCKET NUMBER  
15574-50836U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
UnassignedINTERNATIONAL APPLICATION NO.  
PCT/AU2003/001731INTERNATIONAL FILING DATE  
31 December 2003PRIORITY DATE CLAIMED  
6 January 2003

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CENTRAL FAX CENTER

TITLE OF INVENTION

A Fence Panel

APPLICANT(S) FOR DO/EO/US

Thomas Boehmke

MAY 11 2006

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
  3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
  4. ☒ The US has been elected (Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a. ☐ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A preliminary amendment.
  14. ☒ An Application Data Sheet under 37 CFR 1.76.
  15. ☐ A substitute specification.
  16. ☐ A power of attorney and/or change of address letter.
  17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
  18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
  19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the SPTD to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO.

PAGE 5/7 \* RCVD AT 5/11/2006 3:59:35 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXRF-1/3 \* DNIS:2738300 \* CSID:4043644578 \* DURATION (mm:ss):02:24 \* the amount Office. 11 F

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Unassigned		INTERNATIONAL APPLICATION NO. PCT/AU2003/001731		ATTORNEY'S DOCKET NUMBER 15574-50836	
20. Other items or information: PCT Request PCT/RO101; International Search Report PCT/ISA/210; Credit Card Authorization in the Amount of \$1,355.00; Authorization to Charge and fee deficiencies or credit any overpayments to Deposit Account; Return Postcard					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) .... \$300				\$	\$300.00
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .. \$0					
All other situations .. \$200					\$200.00
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .. \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .. \$400					
All other situations .. \$500					\$400.00
TOTAL OF 21, 22 and 23 =					\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
40 - 100 =	0 /50 =	0	x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	37 - 20 =	17	x \$ 50	\$	\$850.00
Independent claims	6 - 3 =	3	x \$200	\$	\$600.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	\$360.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$2,710.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$1,355.00
SUBTOTAL =				\$	\$1,355.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	\$1,355.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	\$1,355.00
				Amount to be refunded:	\$
				Amount to be charged	\$ 1,355.00

Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-3537 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3537. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Morris, Manning & Martin, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road NE  
Atlanta, Georgia 30326-1044

  
SIGNATURE

Tim Tingkang Xia, Esq.

NAME

45,242

REGISTRATION NUMBER